

1 Thomas A. Moore (SBN 148698)  
 NOVECK & MOORE  
 2 1622 Ellsmere Ave  
 3 Los Angeles CA 90019  
 (650) 575-4991  
 4 (650) 887-0402  
 Attorneys for Plaintiff

6 Jesse F. Ruiz (SBN 77984)  
 ROBINSON & WOOD INC.  
 7 227 North First Street  
 San Jose CA 95113-1016  
 8 (408) 298-7120  
 9 (408) 298-0477 (fax)  
 Attorneys for Defendants

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT COURT

13 )  
 14 Mia Kim, )

15 Plaintiff, )

17 vs. )

18 Paul Gumina, Law Offices of Paul Gumina P.C., )  
 Charles Law, King & Wood LLP and DOES 1 TO )  
 19 500, inclusive, )  
 20 )  
 21 Defendants. )

Case No. 08-00900 JW

) JOINT RULE 26(f) REPORT  
 ) [Fed.R.Civ.P. Rule 26(f)]

) Scheduling Conference: June 2, 2008  
 ) Time: 10:00 a.m.

) Location: Dept. 8, 4<sup>th</sup> Floor  
 ) Judge: James Ware

22 Pursuant to Federal Rule of Civil Procedure 26(f) a meeting was held by teleconference  
 23 on May 12, 2008 between counsel for Plaintiff Mia Kim ("Plaintiff") and Defendants Paul  
 24 Gumina, Law Offices of Paul Gumina P.C., Charles Law, King & Wood LLP. ("Defendants").

26 **I. PRE-DISCOVERY DISCLOSURES**

27 The parties will exchange the information required by Federal Rule of Civil Procedure  
 28 26(a)(I) by June 2, 2008. The parties have held preliminary discussions on the categories of

1 documents and information to be produced and do not anticipate any disagreements relating  
2 thereto. Nonetheless, the parties do not waive their right to object to any category of document  
3 or information requested.

## 4 **II. DISCOVERY PLAN**

### 5 **A. Subject Matter of Discovery**

6 The parties anticipate that discovery will address: (1) the facts and circumstances relating  
7 to representation of all parties in the underlying case of Hill Design Group v. Spring Wang et.al.  
8 Case No. C 04-0521 JF filed in the United States District Court, Northern District of California  
9 in which a default judgment was obtained by Hill Design Group in the amount of  
10 \$49,390,410.00, including the stipulation by Mia Kim related to the withdrawal of her motion to  
11 set aside default and stipulations with respect to her present representation by Thomas A. Moore  
12 and Noveck & Moore, counsel for Hill Design Group in the underlying action.

### 13 **B. Scope of Discovery**

- 14 1. The parties agree that discovery should not be conducted in phases.
- 15 2. The parties agree that no discovery order is necessary.
- 16 3. The parties agree that no changes should be made in the limitations on discovery  
17 imposed under the Federal Rules of Civil Procedure or Local Rules.

### 18 **C. List of Percipient Witnesses**

#### 19 **1. Plaintiffs**

20 Plaintiff adds the following witnesses in addition to those listed by defendants.

21 Michael Wang

22 Spring Wang

#### 23 **2. Defendants**

24 Cox, Chip

25 Dincel, Kim O.

26 Gumina, Paul, Law Offices of Paul Gumina, PC (Attorneys for defendants in underlying  
27 action and defendants in present action).

28 Hill Design Group (Plaintiff in underlying action. Person Most Knowledgeable).

1 Hill, Roger (Principal of Plaintiff Hill Design Group in underlying action.)

2 Hills, Steven (Principal of Plaintiff, Hill Design Group, in underlying action.)

3 Kim, Mia (aka Mia Wang, Defendant in underlying action and Plaintiff in present action.)

4 Law, Charles, King & Wood

5 Long & Levitt (Person Most Knowledgeable re representation of Mia Kim (aka Mia  
6 Wang) in underlying action.)

7 Moore, Thomas A. (Attorneys for Hill Design Group in underlying action and Plaintiff  
8 Mia Kim (aka Mia Wang)).

9 Noveck & Moore (Person Most Knowledgeable Deposition. Attorneys for Hill Design  
10 Group in underlying action and Plaintiff Mia Kim (aka Mia Wang)).

11 Shen-Tai Industry Company, Ltd. (Defendant in underlying action.)

12 Wang, Spring (Defendant in underlying Action.)

13 Whittaker, Kevin (Long & Levitt, subsequent counsel for Mia Wang in underlying  
14 action)

15 **D. Documents**

16 **1. Plaintiffs**

17 Defendants file in the underlying case.

18 Defendants insurance documents.

19 **2. Defendants**

20 Hill Design Group: Files and pleadings re underlying claim, damages, litigation and  
21 stipulations with Mia Kim (aka Mia Wang).

22 Long & Levitt: Files re subsequent representation of Mia Kim (aka Mia Wang) in  
23 underlying action and stipulations with Hill Design Group.

24 Mia Kim: Personal files and litigation regarding residences, name changes, and  
25 correspondence to Shen-Tai Industry Company, Ltd. and principals.

26 Noveck & Moore: All files, electronic and hard copy re representation of Hill Design  
27 Group in underlying action and Mia Kim (aka Mia Wang) in present action.

1           **E. Insurance Coverage**

2           Defendants are presently without insurance coverage for the defense of this litigation. It  
3 is believed that there is a gap in coverage and the defendants have agreed to assemble all  
4 documents related to issues surrounding the alleged gap in coverage.

5           **III. PRESERVATION OF EVIDENCE**

6           The parties do not, at this time, foresee the need for using CD-ROM, or other electronic  
7 means for preserving the evidence in this case for trial. However, should the volume or nature of  
8 evidence produced during discovery prove large, the parties will meet and confer to determine  
9 whether the use of such means is warranted and implement any system of preservation deemed  
10 useful or necessary.

11           **IV. OTHER MATTERS**

12           **A. Complex Cases**

13           The parties agree that the instant litigation is not complex, and that the Manual for  
14 Complex Litigation should not be utilized,

15           **B. Motion Schedule**

16           Unknown at this time.

17           **C. Settlement Conference**

18           The parties agree that this is an appropriate case for a Settlement Conference. However,  
19 the defendants believe that scheduling of a Settlement Conference at this time is premature given  
20 the insurance coverage issues present in this litigation

21           **D. Trial Estimate**

22           The parties agree that trial in this matter is likely to take ten days.

23           **E. Additional Parties**

24           The parties do not at this time anticipate the addition, of new parties or the amendment of  
25 existing pleadings.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Date: May 27, 2008

NOVECK & MOORE

By:

15/  
Thomas A. Moore  
Attorneys for Plaintiff

Date: May 27, 2008

ROBINSON & WOOD INC.

By:

15/  
Jesse F. Ruiz  
Attorneys for Defendants